

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ERIK WAYNE JOHNSON,

Plaintiff,

Case No. 2:11-cv-149

v.

Honorable R. Allan Edgar

MENOMINEE COUNTY SHERIFF'S
DEPARTMENT, KENNY MARKS,
TROY RIVARD, TINA NAST and
BRIAN R. BOUSLEY,

Defendants.

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MEMORANDUM AND ORDER

By an order of this Court on June 21, 2011, plaintiff Erik Wayne Johnson was directed to show cause within ten (10) days as to why his complaint should not be dismissed without prejudice for lack of subject matter jurisdiction. [Doc. No. 13]. The order also explained the Court's reasons for finding, *sua sponte*, that it lacked subject matter jurisdiction. Johnson filed a response to this order [Doc. No. 14], and defendants filed a response in opposition to his response [Doc. No. 15]. The Court has reviewed Johnson's response, and finds that he has failed to show cause as to why his complaint should not be dismissed. Johnson's response includes a multitude of factual statements and non sequitur legal assertions, none of which provide a basis for this Court to assert subject matter jurisdiction over his claim. For this reason, and for the reasons stated in the Court's previous show cause order, Johnson's complaint shall be DISMISSED WITHOUT PREJUDICE, pursuant to Fed.

R. Civ. P. 12(h)(3), on the ground of lack of subject matter jurisdiction. A separate judgment will be entered in accordance with this memorandum and order.

SO ORDERED.

Dated: 7/7/2011

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE